

# NOTICE OF INTENT

## Department of Wildlife and Fisheries Wildlife and Fisheries Commission

### Timken Wildlife Management Area Visitor Regulations (LAC 76:III.327)

The Wildlife and Fisheries Commission hereby announces its intent to adopt a rule establishing visitor regulations for Timken Wildlife Management Area.

The secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the commission to promulgate and effectuate this notice of intent and the final rule, including but not limited to, the filing of the fiscal and economic impact statement, the filing of the notice of intent and final rule and the preparation of reports and correspondence to other agencies of government.

#### Title 76

#### WILDLIFE AND FISHERIES

#### Part III. State Game and Fish Preserves and Sanctuaries

#### Chapter 3. Particular Game and Fish Preserves and Commissions

#### §327. Timken Wildlife Management Area

##### A. Visitors Regulations

1. Morning hunting only on all game (closed 12 noon). All nighttime activities prohibited (including frogging) from 30 minutes after official sunset to one and one-half hours before sunrise.

2. Basic resident and nonresident hunting licenses will serve as season permits on Timken Wildlife Management Area (hereinafter "Timken"). If daily permits are required, they may be obtained from permit stations located on or near Timken. Hunters must check out daily one-half hour after the end of the legal shooting hours.

3. All hunting seasons are set by the Louisiana Wildlife and Fisheries Commission and seasons may be altered or closed anytime by the department in emergency situations (floods, disease outbreaks or other critical circumstances).

4. Firearms having live ammunition in the chamber, magazine, cylinder or clip when attached to firearms are not allowed in boats under motor power on Timken. Firearms may not be carried on any area before or after permitted hours. Bows and arrows are not permitted on Timken except during regular archery season or except as permitted for bowfishing. Encased or broken down firearms and any game harvested may be transported through the areas by the most direct route provided that no other route exists. Loaded firearms are not permitted near check stations or headquarters facility. Target shooting and other forms of practice shooting are prohibited on Timken.

5. Construction of and hunting from permanent blinds on Timken is prohibited. Any permanent stand or permanent blind will be destroyed. A permanent blind or stand is defined as any structure and/or material, including vegetation, used for concealment while hunting, that is not completely dismantled or removed from the wildlife management area daily. All waterfowl hunters must dismantle blinds and remove decoys within 30 minutes after close of shooting hours. Unattended decoys will be confiscated and forfeited to the Department of Wildlife and Fisheries (hereinafter "department") and disposed of by the department.

6. Except for bird hunting, duck hunting, and rabbit hunting when allowed, having or using dogs on Timken is prohibited. Only recognizable breeds of bird dogs and retrievers are permitted for migratory bird hunting. Only beagle hounds which do not exceed 15 inches at the front shoulders and which have recognizable characteristics of the breed may be used on Timken during experimental rabbit season.

7. Commercial fishing is prohibited.

##### 8. Recreational Fishing

a. Shrimp may be taken by the use of cast nets only. During the inside open shrimp season 25 pounds per boat per day (heads on) shall be permitted. Size count to conform with open season requirements. During the inside closed season 10 pounds per boat per day, heads on may be taken for bait.

b. Oysters may be taken from natural reefs and opened at the site. A maximum of one gallon per boat is permitted and all shell must be thrown back onto the reef. Possession of unshucked oysters is not permitted. Taking of oysters on the reef is dependent upon Department of Health and Hospitals' approval and may be closed at any time by the department.

c. Fish may be taken by rod and reel or hand lines for recreational purposes only.

d. Crabs may be taken through the use of hand lines or nets; however, none are to remain set overnight. Twelve dozen crabs are allowed per boat or vehicle per day.

e. Crawfish may be harvested in unrestricted portions of the wildlife management area and shall be limited to 100 pounds per boat or group. Fishing gear used to catch crawfish shall not remain set overnight.

f. The harvest of all fish, shrimp, oysters, crabs and crawfish are for recreational purposes only and any commercial use is prohibited.

9. Boats powered by internal combustion engines having horsepower ratings above 25 H.P. are permitted only in oil company access canals. Operation of the above described internal combustion engines in interior ditches are prohibited.

10. Pulling boats over levees, dams, or water control structures or any other activities which cause detriment to the integrity of levees, dams and water control structures is prohibited.

11. The use of airboats, aircraft, hover craft, all-terrain vehicles and all-terrain cycles and motorcycles are prohibited except as specifically authorized by department personnel.

12. Disorderly conduct or hunting under the influence of alcoholic beverages, chemicals and other similar substances is prohibited. Possession of controlled dangerous substances (drugs) onto the wildlife management area is prohibited. All boats and vehicles are subject to search by authorized employees of the department at anytime.

13. Trapping is allowed only by written agreement with the department.

14. Burning of the marshes is prohibited. Water control structures are not to be tampered with or altered by anyone other than employees of the department at anytime. Damage to or removal of trees, shrubs and wild plants on Timken without prior approval is prohibited.

15. No littering allowed.

16. Violation of any part of this section constitutes a class two violation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 et seq. and 56:109.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 22:

Interested persons may submit written comments on the proposed rule to James Manning, Assistant Administrator, Fur and Refuge Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 no later than 4:30 p.m., Wednesday, July 3, 1996.

Glynn Carver  
Chairman

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Timken Wildlife Management Area  
Visitor Regulations**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

No additional costs or savings to state or local governmental units are anticipated.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There are no anticipated increases or decreases in revenue collections.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

There are no estimated costs to visitors to the refuge. Visitors will receive an undetermined economic benefit due to increased use of the management area.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There will be little or no effect on competition and employment.

Fredrick J. Prejean  
Undersecretary  
9605#029

H. Gordon Monk  
Chief Coordinator of the  
Legislative Fiscal Office